

10-18-05

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/803,620
Filing Date	March 18, 2004
First Named Inventor	Krishna Singh
Art Unit	3641
Examiner Name	Ricardo J. Palabrica
Attorney Docket Number	148379

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental Information Disclosure Statement; Acknowledgement Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Wolf, Block, Schorr and Solis-Cohen LLP		
Signature	<i>Brian L. Belles</i>		
Printed name	Brian L. Belles		
Date	10/17/05	Reg. No.	51,322

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148379

PATENT

Serial No. 10/803,620

Supplemental Information Disclosure Statement

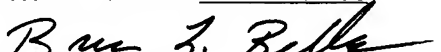
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Krishna Singh

Serial No. : 10/803,620
Filed : March 18, 2004
Title: : UNDERGROUND SYSTEM AND APPARATUS FOR STORING
SPENT NUCLEAR FUEL
Art Unit : 3641
Examiner : Ricardo J. Palabrica
Attorney Docket: : 148379

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Brian L. Belles, 51,322

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In furtherance of Applicant's obligation under 37 C.F.R. § 1.56, Applicant submits the attached Supplemental Information Disclosure Statement ("IDS") in compliance with 37 C.F.R. §§ 1.97 and 1.98.

Under 37 C.F.R. § 1.97(c)(1), no fee is due. To the best of Applicant's knowledge, this IDS is being filed before the mailing of a final Office Action, a Notice of Allowance, or any other action that otherwise closes prosecution of the present application.

Statement Under 37 C.F.R. § 1.97(e)(1)

Each item/reference cited in the attached Supplemental IDS was first cited in a European Search Report dated August 25, 2005 from the European Patent Office in a counterpart application. This Supplemental IDS is being filed within three months of August 25, 2005.

A copy of the European Search Report is attached hereto for the Examiner's review.

Concise Explanation of Non-English Language References Under 37 C.F.R. § 1.98(a)(3)(i)

In accordance with 37 C.F.R. § 1.98(a)(3)(i), Applicant sets forth to the best of its understanding an explanation of the relevance of German language references DE3151475, DE2821780, and DE3107158. In accordance with the law, nothing in this Supplemental IDS is to be construed as an admission of materiality to the claims of the present application.

At this time, Applicant does not possess, control, or have in its custody a translation of DE3151475, DE2821780, or DE3107158. Nor is a translation of any these references readily available to Applicant.

DE3151475

DE3151475 discloses what appears to be a system for storing radioactive materials. This, however, is uncertain because Applicant can only analyze the Figures of DE3151475. With that said, the most relevant systems of DE3151475 appear to be shown in FIGS. 3, 11A, and 11B. These systems (as illustrated), however, do not disclose an overpack body containing at least one inlet ventilation duct extending from an above grade inlet to a below grade outlet wherein the below grade outlet is in spatial cooperation with the cavity formed by the overpack body. To the contrary the systems of DE3151475 utilizes cooling pipes that merely pass through the cavity for a portion of their length. The cooling pipes of DE3151475 do not contain an outlet/opening into the cavity, as is required by claim 1 of the present application. Thus, the cooling pipes can not function to ventilate the cavity.

Applicant is unable to discern the relevance of DE2821780 to the present claims. The systems disclosed in the Figures of DE2821780 do not appear to read on claim 1 of the present invention in any reasonable manner.

DE3107158 discloses what appears to be a system for storing radioactive materials. This, however, is uncertain because Applicant can only analyze the Figures of DE3107158. With that said, the most relevant Figure of DE3107158 appears to be Figure 1. The system of Figure 1 of DE3107158 does not however disclose an overpack body having a major portion positioned below grade. Moreover, the system in Figure 1 of DE3107158 appears to contain a plurality of vertically oriented passageways that extend through its body and into the cavity. The entirety of any single passageway of the DE3107158 system is either completely below grade or completely above grade. Thus, the system of DE3107158 does not contain "at least one inlet ventilation duct extending from an above grade inlet to a below grade outlet," as is required by claim 1.

It is believed that none of the references submitted in this Supplemental IDS, either alone or in combination, teach the present invention.

WOLF, BLOCK, SCHORR & SOLIS-COHEN LLP

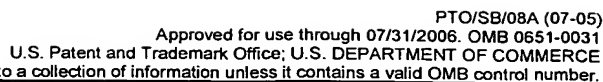


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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet

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Application Number

10/803.620

Filing Date

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First Named Inventor

Krishna Singh

Art Unit

3641

Examiner Name

Ricardo J. Palabrica

Attorney Docket Number

148379

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB92 (08-00)

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Enclosed are the following items for UNDERGROUND SYSTEM AND APPARATUS FOR STORING SPENT NUCLEAR FUEL - ATTORNEY DOCKET NO. 148379.

EXPRESS MAIL CERTIFICATE; TRANSMITTAL FORM; SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT; INFORMATION DISCLOSURE STATEMENT BY APPLICANT W/COPIES OF CITED REFERENCES; ACKNOWLEDGEMENT POSTCARD.

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